(31)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक Cr.M.P. No-582/07 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश

SB: HON'BLE SHRI DHIRENDRA MISHRA,J.

Petitioner Accused Smt. Sheela Verma, aged about 39 years, W/o. Dr. Chandan Lal Verma, Resident of Vidyanagar, Near Shiv Temple, Ward No.16, House No.370 (Deepupara), Bilaspur, Police Station Tarbahar, Bilaspur,Tahsil and District Bilaspur(C.G.)

Vs.

Respondent Complainant Srirang Bobde, aged about 43 years, S/o. late Champat Rao Bobde, Resident of Kashyap Colony, Bilaspur, Police Station City Kotwali, Bilaspur (C.G.)

12-12-2007

Smt. Hamida Siddqui, Counsel for the petitioner.

Heard.

By this petition under Section 482 of the Cr.P.C., the petitioner has prayed for quashing of the order dated 23.11.2007 passed in Complaint Case No.808/05 by learned Chief Judicial Magistrate, Bilaspur.

The only ground urged by the petitioner in this petition is that during the pendency of this Complaint Case before Chief Judicial Magistrate, the complainant has also approached the permanent Lok Adalat under Section 22 (a) of the Legal Services Authorities Act, 1987 (for short, herein after referred to as the Act of 1987) and the relief sought by the complainant pertains to the same dispute and sub-section (2) of Section 22 C of the Act of 1987 specifically mentions that after an application is made under sub-section (1) of Section 22 C to the

शासकीय क्षेत्रीय मुद्रणालय, राजनांदगांव —FS/59— 8/2007 —30,000.

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक Cr.M.P.No-582/07 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश

permanent Lok Adalat, it is not open to a party to invoke the jurisdiction of any other Court in the same dispute. It is not in dispute that the instant complaint was filed by the complainant before the Chief Judicial Magistrate and during pendency of the above complaint, the complainant has also moved an application under the Act of 1987 and thus there is no impediment in continuing the petition and the same can not be quashed in view of sub section (2) of Section 22 C of the Act of 1987. If the petitioner is aggrieved by initiation of parallel proceedings in the permanent Lok Adalat subsequent to filing of his complaint, it is open to him to raise the ground which is available to him before the permanent Lok Adalat.

In the result, the petition being devoid of substance is liable to be dismissed and it is accordingly dismissed.

Sd/-
Dhirendra Mishra
Judge

शासकीय क्षेत्रीय मुद्रणालय, राजनांदगांव —FS/59— 8/2007 —30,000.